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C O N F I D E N T I A L KATHMANDU 000200

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DEPT FOR SA/INS, SA/PD

E.O. 12958: DECL: 01/19/2016
TAGS: [PGOV](#) [PHUM](#) [PTER](#) [NP](#)
SUBJECT: GOVERNMENT ARRESTS POLITICAL PARTY AND CIVIL
SOCIETY LEADERS

REF: KATHMANDU 172

Classified By: Ambassador James F Moriarty. Reasons 1.4 (b/d).

[¶1](#). (U) This cable contains an action request. See paragraph [¶11](#).

Summary

[¶2](#). (C) Citing fears that the Maoists would infiltrate the January 20 mass protest program of the seven-party alliance and turn it violent, the government cut phone services and arrested political party and civil society leaders during the early morning hours of January 19. The government held key seven-party alliance leader GP Koirala under house arrest and reportedly arrested scores of politicians and civil society activists under the Public Security Act "to maintain peace and security in the society." In an apparent effort to keep the demonstration on track, Maoist leader Prachanda on January 18 asserted the Maoists would not "use force, infiltrate or incite the masses" during the January 20 rally.
End Summary.

Government Acts Against Politicos, Citing Fear of Maoist
Infiltration

[¶3](#). (U) On January 19, the government cut cell-phone and landline service at 0530 local time and began arresting politicians from their homes as early as 0400 local time. These actions followed the January 14 Maoist attacks in the Kathmandu Valley - the bloodiest in over a year (reftel). Government leaders asserted that the steps were designed to prevent Maoist-incited violence from erupting during a mass meeting called by the political parties for January 20 to protest the King's actions and the upcoming municipal election. Party leaders had insisted on holding the demonstration despite the government's January 16 ban on all political demonstrations in the Kathmandu Valley and other urban areas. Separately, United Marxist Leninist (UML) party's Bhim Rawal told Emboff that Bamdev Gautam, also from UML, had been trying to push the parties to violence during the January 20 demonstrations. That proposal, however, had been voted down by the UML's central leadership. Rawal

speculated that was why MK Nepal and all seven-parties alliance members had released a statement on January 17 calling for a peaceful demonstration on January 20.

Government Has List of 200 Leaders to Arrest...

¶4. (C) Police contacts told the Embassy that the Home Ministry provided them a list of 200 political party leaders and civil society activists to arrest under the Public Security Act (PSA). Under the PSA, the government can detain anyone for up to three months without a warrant or a hearing "to maintain peace and security in the society." The government used the PSA to arrest politicians and others after the King took control on February 1, 2005. On January 19, the government also announced a curfew from 2000 to 0400 hours in Kathmandu, an hour earlier than the 2100 curfew the previous night. There were persistent rumors that the government might announce an all day curfew on January 20. (Note: See EAC report septel. End note.) Cell-phone service remained down, but the government restored land-line phone service at 0830 local time on January 19.

...At Least 93 Others Jailed

¶5. (C) As of 1500 local time on January 19, human rights monitors confirmed the arrest of at least ninety-three people: UML twenty-eight; NC twenty-two; People's Front Nepal eight; NC(D) five Nepal Workers and Peasant's Party one; and human rights activists and others nine. The wife of former State Minister for Foreign Affairs and Nepali Congress Democratic member, Prakash Sharan Mahat, told the DCM that police brandishing an arrest warrant rang her bell at 0430 on

January 19 looking for her husband. She said that though she came to the gate and asked them to wait while he got dressed, they jumped the gate, broke down the door, and entered the house. Police told her that they were taking him to the Armed Police Force headquarters under the PSA. She reported that police returned to her house at 0830 on the same day to conduct a room to room search for her husband's brother, former Foreign Minister and Nepali Congress member Ram Sharan Mahat. He was not there and police left after the search.

Key Political Leader Under House Arrest

¶6. (C) On January 19, the government placed Nepali Congress's elderly leader GP Koirala under house arrest. Security forces told the Embassy that they had only this leader under house arrest and would reevaluate the situation in 24 hours to determine whether to continue the house arrest. UML leader MK Nepal confirmed to us that security forces jumped his gate at 0400 on January 19, and conducted a room by room search for UML member Bandev Gautum, whom they did not find. MK Nepal himself, however, has had as of yet no restrictions placed on his movements. (Note: Embassy understands that Gautum has gone underground. End note.)

Government Still Detaining Activists Arrested Earlier

¶7. (C) On January 18, the government arrested sixteen political party activists under the PSA while the politicians were carrying out a motorcycle rally as part of their door-to-door awareness campaign for the January 20 mass meeting and municipal polls boycott. The sixteen included five people from NC, one person from NC(D), and three youth leaders from the UML. The government later released one activist, but announced they would hold the fifteen others in custody for up to three months as permitted by the PSA. This action and rumors of a government crackdown sent large numbers of party activists into hiding. Calling into the Embassy from an undisclosed location to avoid arrest, Arjun Narsingh KC (NC) told Emboff on January 19 that plans for the January 20 rally were in turmoil as no one knew who had been

arrested or where they could meet to discuss plans without being arrested. Party cadre from each of the seven-parties in the alliance had previously informed the Embassy that they planned to gather at their respective party headquarters and then converge on Kathmandu Durbar Square at around 1330 on January 20.

Maoists Announce No Infiltration Into Demonstration

¶18. (C) The arrests came after a January 18 statement by Maoist leader Prachanda claiming that the Maoists would not "use force, infiltrate or incite the masses" during the January 20 rally. However, Prachanda wrote that his party would "fully support" any anti-government program organized by the seven-party alliance as per the 12-point understanding reached between the Parties and the Maoists in November 2005.

Prachanda termed the government's ban on demonstrations as an excuse "to restrict peaceful assemblies and rallies by citizens." (Note: We have heard from several sources that Maoists were "urging" villagers in areas surrounding the Kathmandu Valley to participate in the January 20 demonstration. End note.)

International Community and Human Rights Monitor Scrambling

¶19. (C) Human rights organizations, including the UN Office of the High Commissioner for Human Rights (OHCHR), the Nepal Human Rights Commission (NHRC), and local NGO Informal Service Sector (INSEC), were all scrambling to compile a list of those arrested. OHCHR reported that they were making efforts to contact those most likely to have been arrested, and had established a presence at the ICJ-sponsored Human Rights Home for human rights defenders and the UN House in addition to their headquarters building to receive reports.

Other Embassies reported that they were working on statements condemning the government's actions and seeking the immediate release of those arrested. Uncharacteristically, even the Japanese Embassy told Emboff that they were working with Tokyo to craft a statement deploring the arrests.

Comment

¶10. (C) Following the January 14 Maoist attacks in Kathmandu (reftel), when 100-200 hundred armed Maoists were able to enter the valley and attack police posts, the government is understandably afraid of further Maoist violence. But the government's actions of banning gatherings and arresting political party leaders only increase the antagonism between the Parties and the Palace and will make ultimate reconciliation of the legitimate democratic forces more difficult. We need to send a clear and forceful denunciation of the government decision to preemptively incarcerate political party leaders to avoid Maoist violence.

Action Request

¶11. (U) Post recommends that the department spokesperson issue a statement condemning His Majesty's Government of Nepal for arresting political party leaders and human rights activists.

Begin suggested text.

The United States is deeply concerned by His Majesty's Government of Nepal's preemptive detention of political party leaders and civil society activists on January 19 before a political program scheduled by political parties on January ¶20.

There can be no excuse for the resumption of violence by the Maoists. The United States has consistently called upon the Maoists to abandon violence and come into the political mainstream. However, there can also be no excuse for

preemptive arrests by the government to prevent citizens from gathering to peacefully express their views.

We call on the Palace to urgently reach out to the political parties and find a way to return to democracy and to address the Maoist insurgency that threatens the very existence of the nation.

End suggested text.

MORIARTY